IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

FRANK MARTINEZ,

Plaintiff,

vs.

No. CIV 15-831 JCH/WPL

UNITED STATES OF AMERICA,

Defendant.

STIPULATION OF DISMISSAL

Plaintiff Frank Martinez and Defendant United States of America, through their undersigned counsel, hereby stipulate and agree that the above-captioned case and cause of action are dismissed with prejudice, with all parties to bear their own costs. This stipulation is entered into in accordance with the provisions of Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

Respectfully submitted,

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/s/ Electronic approval November 17, 2016 SCOTT F. VOORHEES

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-and-

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CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2016, I filed the foregoing pleading electronically through the CM/ECF system which caused the following parties or counsel to be served by electronic means as more fully reflected on the Notice of Electronic Filing:

For Plaintiff: Scott Voorhees <u>woorhees@cybermesa.com</u>

/s/ Erin E. Langenwalter
ERIN E. LANGENWALTER
Assistant United States Attorney